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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,802	08/24/2001	Sanjeev Dharap	YAHOO-01009US1	2167
23910	7590	09/16/2004	EXAMINER	
FLIESLER MEYER, LLP FOUR EMBARCADERO CENTER SUITE 400 SAN FRANCISCO, CA 94111			VON BUHR, MARIA N	
			ART UNIT	PAPER NUMBER
			2125	

DATE MAILED: 09/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/938,802	DHARAP, SANJEEV	
	<b>Examiner</b>	<b>Art Unit</b>	
	Maria N. Von Buhr	2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-10, 21-23 and 25-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-10, 21-23 and 25-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 August 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. A request for continued examination under 37 CFR §1.114, including the fee set forth in 37 CFR §1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR §1.114, and the fee set forth in 37 CFR §1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR §1.114. Applicant's submission filed on 07 September 2004 has been entered.
2. Examiner acknowledges receipt of Applicant's response to the previous Office action, received 07 September 2004; which cancels claims 11-21 and introduces claims 29-33. Claims 1-4, 6-10, 21-23 and 25-33 are now pending in this application.
3. Applicant's claim for domestic priority under 35 U.S.C. §119(e) is acknowledged.
4. In response to Applicant's remarks, concerning the 35 U.S.C. §102(b) rejection of the claims, as being clearly anticipated by Applicant's admitted prior art, of the "Startac® organizer manufactured by Motorola, Inc." (pages 4-5 of the instant specification), and as supported by the "StarTAC clipOn Organizer, Synchronization, and TrueSync Desktop - User's Guide," published by Motorola, Inc., Examiner notes the following:
  - a. As presented in the previous Office action, Applicant admits that "Content information in the organizer is organized alphabetically by an alphabetical tag similar to a paper telephone address book, with each entry alphabetized in accordance with its rules of display in a "display name" field. The user may then select individual tabs using the control buttons which identify further levels of granularity in the alphabetization. For example, the opening screen lists a set of tabs, each tab containing three letters (e.g. "ABC," "DEF," etc.) representing the first letter of the last name of each contact. Selecting "ABC" yields another set of tabs with single letter entries (e.g. "A," "B," "C," etc.) and selecting "A" yields all entries presented with the letter "A." If a number of entries are provided for the letter A which exceeds the 10-line display of the device, the device will further sort entries into a pre-configured number of further levels of granularity, for example all entries between "A" and "AI," "AR" and "AT," etc. The organizer will sort, alphabetize, and granularize each letter of the alphabet depending on the number of contacts beginning with that letter. Selection of different controls occurs through use of one of the six control buttons on the device." As evidenced by the StarTAC ... User's Guide, this involves "mapping" each entry to a control input of the display device, as instantly claimed (i.e.; as shown on page 11 of the StarTAC® ... User's Guide, the alphabetical letters N-S are "mapped"

to the tabs of the displayed card lists, wherein selecting one of the tabs controls the display to show the subset of entries correlated to that particular tab, to allow for further selection by a user).

b. Applicant's argument, that the StarTac device does not teach having "each entry mapped to a control input in a display device," since the "StarTac device ... are described as using up and down selectors to move a cursor over a letter or a group of letters and then select that letter. Thus, each entry is not mapped to a control input in a controller device. For example, ... when the cursor is on the letter "M", entries for a letter "T" are not mapped to a control input in a display device. Entries for the letter "T" are only accessible by scrolling from the current letter to the letter "T" using the up and down functions" and that the "desktop shown on page 58 is a PC display software that is used to sync with the Startac® clipOn Organizer device. The card files can be updated and arranged on a PC. Later the card file information can be sent to the Startac® clipOn Organizer. However, the Startac® clipOn Organizer only select tabs of information using the arrow buttons on the Startac® clipOn Organizer. For this reason, it cannot be said that each entry is mapped to a control input in the display device" (pages 6-7 of the instant response), is deemed to be persuasive.

c. However, Applicant's attention is directed to the newly cited patents to Goren (U.S. Patent No. 6,741,235) and Herigstad et al. (U.S. Patent No. 6,731,316; newly cited).

d. Goren teaches a "method and device designed to improve the speed, accuracy, and ease of entry of characters and other symbols by a user. The device is designed to use a reduced size input area as an input source and optionally as a display screen. A set of characters or other symbols is divided into subsets, each subset being represented by a control button for display on the reduced size input area for user selection. A user's selection of a control button produces a secondary set of buttons representing the characters or other symbols in the selected subset for user selection, storage, and display" (see at least the abstract; Figs. 2-4, with accompanying text). This teaching of Goren shows that it was known in the art to assign control inputs to entries of a list, as instantly claimed. It would have been obvious, to one having ordinary skill in the art, at the time the instant invention was made, to modify the StarTac® ClipOn Organizer to include such mapped control inputs, because Goren teaches the benefit of improving "the speed, accuracy, and ease of inputting information into a computing device while limiting the overall size of the device. A computing device in accordance with the invention can be any type of computing device that includes a processor, including desktop computers, but will often also be small and portable, including personal digital assistants (PDAs), mobile phones, web appliances, digital remote controls, and other information devices" (col. 3, lines 15-25).

e. Herigstad et al. teaches that a "visual display for an electronic device is partitioned into regions. Each of the regions is associated with a key on a keypad. One exemplary implementation is a 3x3 grid of regions corresponding to nine keys numbered 1-9 on a numbered keypad. A visual correspondence is provided for the user to associate choices illustrated in the regions with the numbered keys. The regions display visual information such as graphics and/or text to identify a selection option. The keys are associated with the regions such that when a key is selected the selection option associated with the region is chosen" (see at least, the abstract; Figs. 2A-C, 4A-D, 8, 10 and 11A-B, with accompanying text). This teaching of Herigstad et al. shows that it was known in the art to assign control inputs to subsets of information, as instantly claimed. It would have been obvious, to one having ordinary skill in the art, at the time the instant invention was made, to modify the StarTac® ClipOn Organizer to include such mapped control inputs, because Herigstad et al. teach "an approach for organizing visual information for display on electronic devices so as to provide a visually intuitive interface for assisting a user in interacting with the device. The visual display is configured to be especially useful in assisting a user in navigating through hierarchical layers of content" (col. 3, lines 55-65).

f. Accordingly, claims 1-4, 6-10, 21-23 and 25-33 are now rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's admitted prior art, of the "Startac® organizer manufactured by Motorola, Inc." (pages 4-5 of the instant specification), and as supported by the "StarTAC clipOn Organizer, Synchronization, and TrueSync Desktop - User's Guide," published by Motorola, Inc. (previously cited), further in view of either Goren (U.S. Patent No. 6,741,235; newly cited) or Herigstad et al. (U.S. Patent No. 6,731,316; newly cited).

5. Similarly, claims 1-4, 6-10, 21-23 and 25-33 are now rejected under 35 U.S.C. §103(a) as being unpatentable over Bodnar (U.S. Patent No. 6,417,874; previously cited), further in view of Goren (U.S. Patent No. 6,741,235; newly cited) or Herigstad et al. (U.S. Patent No. 6,731,316; newly cited).

6. The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. Applicant is advised to carefully review the cited art, as evidence of the state of the art, in preparation for responding to this Office action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maria N. Von Buhr whose telephone number is 703-305-3837 (until 12 October 2004) or 571-272-3755 (thereafter). The examiner can normally be reached on M-F (9am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 703-308-0538. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Maria N. Von Buhr  
Primary Patent Examiner  
Art Unit 2125

MNVB  
9/15/04